



Atty Dkt No. 9001-0042.01
PATENT

1649

#8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In Re Patent Application of:

Barker et al.

Serial No.: 10/074,152

Filing Date: February 11, 2002

Title: IMMUNOLOGICAL METHODS TO MODULATE MYOSTATIN IN VERTEBRATE SUBJECTS

**REQUEST FOR WITHDRAWAL AS ATTORNEY
(37 C.F.R. 1.36 AND 37 C.F.R. 10.40(c))**

Assistant Commissioner for Patents
Washington, D.C. 20231

Attn: Director, Group ????

Sir:

The undersigned, a principal attorney of record signing on behalf of **ALL** attorneys of record pursuant to MPEP §402.06, respectfully requests permission for all attorneys of record to withdraw from all further responsibility in this case, in accordance with 37 C.F.R. 1.36.

The basis for this request for withdrawal is 37 C.F.R. 10.40(c)(1)(vi). In particular, our client has failed to provide full payment for invoices dating back to February 2002.

A response to the Notice to File Corrected Application Papers was filed June 10, 2002.

Please change the correspondence address and direct all future correspondence to:

Ronald L. Stotish
Vice President, Research & Development
MetaMorphix International, Inc.
8510A Corridor Road
Savage, MD 20763
Phone: (301) 617-9080
Fax: (301) 617-9075.

APPROVED
M. Stotish
SPRG, TC 1600
1/16/03

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USSN: 10/074,152
PATENT

In accordance with 37 C.F.R. 10.40(a), a copy of this request is being sent to the client. A copy of our letter to the client is attached.

This request is enclosed in triplicate in order to expedite handling thereof.

Respectfully submitted,

Date: 12/30/02

By: Roberta L. Robins

Roberta L. Robins
Registration No. 33,208
On Behalf of **ALL** Attorneys of
Record Pursuant to MPEP §402.05

ROBINS & PASTERNAK LLP
545 Middlefield Road, Suite 180
Menlo Park, CA 94025
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ROBINS & PASTERNAK LLP RECEIVED

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PATENT PREPARATION,
PROSECUTION AND
RELATED SERVICES

December 30, 2002

COPY

Mr. Ronald Stotish
Vice President, Research & Development
MetaMorphix International, Inc.
8510A Corridor Road
Savage, MD 20763

Re: MetaMorphix International, Inc. Cases
Our References: 9001-0034.01, 0034.21, 0035.01, 0042, 0042.01, 0048

Dear Ron:

As I explained, we are petitioning to withdraw as attorneys on the above-identified matters in light of MetaMorphix's failure to provide full payment on bills dating back to February, 2002. Copies of the Petitions are enclosed. As soon as the Petitions are granted, we will return the files to you.

The upcoming due dates on these cases are as follows:

Ref No.	Serial No./Patent No.	Action
9001-0034.01	09/444,251	Appeal Brief due 2/16/03 (last day 7/16/03)
9001-0034.21	6,037,321	Maintenance Fee due 9/14/04
9001-0035.01	10/302,739	Application filed 11/22/02, awaiting Notice to File Missing Parts
9001-0042	6,369,201	Maintenance Fee due 10/9/045
9001-0042.01	10/074,152	Awaiting first Office Action
9001-0048	09/305,924	A Continued Prosecution Application was filed 12/30/02

ROBINS & PASTERNAK LLP

ATTORNEYS AT LAW

Mr. Ronald Stotish
December 30, 2002
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In light of the upcoming deadlines, we strongly recommend you take immediate steps to engage new patent counsel to assist you with these matters.

Although we intend to withdraw as your attorneys, we still, of course, expect full payment of the balance owed us. As you know, a substantial amount due is for out-of-pocket expenses, such as fees paid to the United States Patent and Trademark Office.

I wish you and MetaMorphix success in the future.

Very truly yours,



Roberta L. Robins

RLR/gw
Enclosures